




J. Craig Whitley
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re:

**CW CONSTRUCTION & DEVELOPMENT,
LLC**

Debtor.

Case No. 20-30011

Chapter 7

**ORDER GRANTING CHARLESTON PROPERTIES I, LLC RELIEF FROM
AUTOMATIC STAY TO PURSUE STATE COURT ACTION AND SEEK RECOVERY
FROM INSURANCE PROCEEDS**

THIS MATTER having come before the Court on the Motion by Charleston Properties I, LLC for Relief from the Automatic Stay to Pursue State Court Action and Seek Recovery from Insurance Proceeds (the "Motion"); and it appearing to the Court that the Chapter 7 Trustee has no objection to the relief sought by Charleston Properties I, LLC in the Motion, and that no other objection was filed to the Motion; and it further appearing that there is good cause to grant the relief requested in the Motion;

IT IS HEREBY ORDERED AND ADJUDGED THAT:

1. The Motion is Granted.
2. Charleston Properties is hereby granted relief from the automatic stay under section 362(d)(1) of the Bankruptcy Code effective, *nunc pro tunc*, as of September 7, 2020 to proceed with the Litigation (as defined in the Motion) pending in the Court of Common Pleas for the Ninth District, State of South Carolina against the above-captioned debtor, in order to liquidate its claims against the debtor, and seek recovery on such claims from any available insurance proceeds.

3. The stay provisions under Bankruptcy Rule 4001(a)(3) shall not be applicable to this Order.

This Order has been signed electronically.
The Judge's signature and Court's seal
appear at the top of the Order.

United States Bankruptcy Court